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JOHN T. FEY, Clerk

IN THE
Supreme Court of the United States

OCTOBER TERM, 1955

—
No. 312
—

UNITED STATES OF AMERICA, *Petitioner,*

v.

THE OHIO POWER COMPANY

—
**PETITION TO MR. JUSTICE BRENNAN
AND MR. JUSTICE WHITTAKER**
—

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Of Counsel

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On April 1, 1957, the Court, by a *per curiam* opinion concurred in by four Justices, with three Justices dissenting, rendered a decision in this case. The decision notes that "Mr. Justice Brennan and Mr. Justice Whittaker took no part in the consideration or decision of this case."

The respondent, The Ohio Power Company, is filing contemporaneously with this Petition a "Motion for Consideration by the Full Court and a Petition for Rehearing." In that Motion and Petition we have

set out in full the reasons, based upon sound judicial administration as well as uniform practice of the Court, which should dictate a consideration of the issues in this case by all nine Justices.

Respectfully referring your Honors to that document, rather than repeating the reasons in this Petition, we pray that your Honors will consider the issues therein presented, and will then participate in the reconsideration of this case.

Respectfully submitted,

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